

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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IN RE: AVANDIA MARKETING, SALES  
PRACTICES AND PRODUCTS  
LIABILITY LITIGATION

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: MDL NO. 1871  
: 07-MD-01871  
:

THIS DOCUMENT APPLIES TO:

: HON. CYNTHIA M. RUFÉ  
:

RICHARD V. D'APUZZO  
*on behalf of himself and all others similarly  
situated*

: CIVIL ACTION  
:  
:

v.

:

SMITHKLINE BEECHAM CORPORATION  
d/b/a GLAXOSMITHKLINE

:  
: NO. 07-4963  
:

**ORDER**

**AND NOW**, this 10th day of July 2013, upon consideration of Defendant's Motion to Dismiss [Doc. No. 28] and the response and replies thereto, it is hereby **ORDERED** that the Motion is **GRANTED** for the reasons set forth in the accompanying Memorandum Opinion. The Third Amended Complaint is **DISMISSED** with prejudice. The Clerk is directed to **CLOSE** the case.

It is so **ORDERED**.

**BY THE COURT:**

  
CYNTHIA M. RUFÉ, J.